

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
APRIL 6, 1955

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, April 6, 1955; Councilmen Hughes, Mitchell, Richey, Robinson, and Mayor Fuller present; none absent. City Attorney Mullen and City Manager Weller also present.

COMMUNICATIONS

CVD-LCC
MEETING

Letter from the City of Turlock inviting the City of Lodi to attend the next quarterly meeting of the Central Valley Division of the League of California Cities to be held in Turlock on April 21, 1955. Mr. Frank E. Cox of the Kawneer Company will discuss why our central business districts must be retained.

FESTIVAL
TO EXTEND
WESTERN
FENCE

Letter from the Secretary-Manager of the Lodi Grape Festival and National Wine Show informing the City Council that the Festival Committee is discussing the matter of moving the western fence from its present location to the Festival western property line. The letter asked that the City notify the Festival if it has any objection to the discussed action. The City Manager explained that this action would leave the City with a thirty-foot strip between the western line of the Festival property and the planting we have in Lawrence-Park. Councilman Robinson suggested that the Mayor and City Manager negotiate with the Festival Committee for a wider strip. This suggestion met the approval of the City Council.

RICE BROS.

Letter from Rice Brothers, Inc., announcing that the firm is engaged in the sand and gravel and ready-mix concrete production in the City of Lodi and stating that the firm would appreciate the opportunity of submitting bids for any and all construction and/or materials contemplated by the City of Lodi.

BY-PASS

Letter from the Division of Highways, dated March 17, 1955, and signed by Francis O'Neill, District Planning Engineer, in reply to the letter from the City Manager requesting the Division of Highways to give further consideration to connection the Victor Road to Locust Street during the design of the Lodi freeway. Mr. O'Neill advised that the suggestion will be studied and the results of the study will be communicated to the City at a later date. In his letter Mr. O'Neill asked that he be advised of the action taken by the City Council relative to the revised design of the freeway in the vicinity of Turner Road. At the suggestion of Councilman Robinson the Council agreed to inform the Division of Highways that the revised plans, though not ideal, appear to be the best plan available.

PUBLIC HEARINGS

DOWNTOWN
PARKING
DISTRICT

Mr. Joe K. Newfield, Chairman of the Merchants' Parking Committee addressed the City Council to read the following request:

"The Lodi Merchants' Parking Committee, appointed by the Retail Merchants Division of the Chamber of Commerce, after careful and prolonged study of the parking problem, have decided that the most feasible manner in which to achieve the desired results is to form a downtown parking district, including the greater portion of the presently metered area, for the purpose of securing immediate funds from a bonding company, with which to purchase off-street lots for parking purposes.

"This is to be done through the vehicle of the State Parking Act of 1951, the same being favored by Consultant Harold Wise, and considered by the Committee as being the most practical method of producing the desired results in the shortest possible time.

"Preliminary negotiations with a recommended bond attorney have been completed and now it is necessary to have authorization from the City that we proceed. In the event that the district is not formed, the City will be in no ways financially obligated.

"We ask you to have faith in the committee's recommendations, and give same your approval."

City Attorney Mullen explained that he had contacted the firm of Kirkbride, Wilson, Harzfeld and Wallace and that a representative of this firm, Mr. Kenneth Jones, had met with the Merchants' Parking Committee. As a result of this meeting a letter has been received from the law firm offering to conduct the bonding proceedings for the City. The offer contained in the letter, dated April 4, 1955, specifies that if the district is not formed no cost will accrue to the City. However, if the district is successfully formed, the law firm will receive 2% of the amount of the bonds sold. On the motion of Councilman Richey, Hughes second, the Council voted to grant permission to proceed with the formation of the parking district and to authorize the Mayor and City Clerk to sign the agreement dated April 4, 1955, with the firm of Kirkbride, Wilson, Harzfeld and Wallace.

ANNEXATION
57th ADD.

ORD. NO. 527
INTRODUCED

This being the time and place designated for the hearing of protests to the proposed annexation of that uninhabited territory designated "57th Addition, Lands North of Kettleman Lane and East of Fairmont Avenue", Mayor Fuller called for such protests. There being no protests offered, either written or oral, Ordinance No. 527, approving the annexation of the 57th Addition, was introduced on the motion of Councilman Richey, Mitchell second.

ANNEXATION
WESTERN ADD.

ORD. NO. 528
INTRODUCED

This being the time and place designated for the hearing of protests to the proposed annexation of that uninhabited territory designated as "Western Addition", Mayor Fuller called for such protests. There being no protests offered, either written or oral, Ordinance No. 528, approving the annexation of the Western Addition, was introduced on the motion of Councilman Robinson, Richey second.

REPORTS OF THE CITY MANAGER

SPECS CONCRETE PIPE	Specifications for the purchase of concrete pipe for use in sewer projects planned for the coming year were approved on the motion of Councilman Mitchell, Robinson second.
SEWER PROJECT BIDS	The City Manager reported that two bids had been received for the sewer projects approved at the previous meeting. He recommended that no award be made at this time pending further study of the bids. Councilman Richey moved, Mitchell second, that the award of the bids be postponed. The motion carried unanimously.
CITY HALL REMODELING	Mr. Weller reported that no bids were received for the remodeling of the City Hall basement and first floor. On the motion of Councilman Hughes, Richey second, the Council voted to authorize the City Engineer to deal on the open market for a contractor.
CONCESSION CONTRACTS	Mr. Weller reported that the Recreation Commission had questioned the propriety of the Commission as an advisory body accepting the responsibility of holding negotiations and letting of concession contracts as requested by the City Council. He therefore recommended that the administrative staff be authorized to get the bids and submit them to the Recreation Commission for advice or recommendations before action on the award is taken by the City Council. This procedure met the approval of the City Council.
CLAIMS	Claims in the amount of \$122,220.78 were approved on the motion of Councilman Richey, Hughes second.
REZONING LODI STEAM LAUNDRY	Mr. Weller reported that the Lodi Moose Lodge had replied to the Council's request for assurance that the Lodge would request rezoning back to the R-1 District for the property on Turner Road, commonly known as the Lodi Steam Laundry, in the event the clubhouse contemplated by the Moose Lodge was not built on the site. He submitted the following letter: "In regards to the second reading for the rezoning request of the Moose Lodge for the property on Turner Road, we request that in the event the property is not developed as a Moose Home, that the property revert back to R-1 residence zoning. "Thanking you for your cooperation, we remain Loyal Order of Moose #634 Albert Kraemer, Secretary"
ORD. NO. 526 ADOPTED	ORDINANCE NO. 526, ENTITLED "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY IN THE SOUTHEAST QUARTER OF SECTION THIRTY-SIX, TOWNSHIP 4 NORTH, RANGE 6 EAST, M.D.B. & M. TO BE IN THE R-4 DISTRICT", having been introduced at the regular meeting of March 16, 1955, was brought up for passage on the motion of Councilman Mitchell, Richey second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Hughes, Mitchell, Richey,
Robinson and Fuller

NOES: Councilmen - None

ABSENT: Councilmen - None

Mayor Fuller then signed Ordinance No. 526 in approval thereof.

CITY PLANNING COMMISSION

ZONING COMMITTEE REPORTS

Mr. Weller reported the following action taken by the Zoning Committee at its meeting of March 4, 1955:

1. Denied a use permit to Foster and Kleiser to locate a new poster panel on the property owned by Mr. Speros Stathatos at the northeast corner of Lodi Avenue and Rose Street.

2. Postponed action on a request from Mr. John Oster for a use permit to erect a neon sign on his premises at 315 West Lodi Avenue.

3. Granted a use permit to the First Baptist Church for a neon sign.

The following action by the Zoning Committee was reported for its meeting of March 28, 1955:

1. Denied the request for a neon sign from Mr. Oster.

CRESCENT MANOR REZONING

At the meeting of March 28, 1955, the Planning Commission approved the rezoning of lots 16 through 20, Crescent Manor Subdivision, from R-1 to R-3 and all other lots from R-1 to R-2.

REZONING CLANCY TRACT

At the same meeting the Planning Commission approved the rezoning of all lots within the tentative map of the Clancy Tract to R-2 excepting those lots fronting along Fairmont Avenue.

WEST VIEW REZONING

ORD. NO. 525 ADOPTED

ORDINANCE NO. 525, ENTITLED "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 31 THROUGH 39 OF WEST VIEW SUBDIVISION TO BE IN THE R-3 DISTRICT", having been introduced at the regular meeting of March 16, 1955, was brought up for passage on the motion of Councilman Robinson, Hughes second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Hughes, Mitchell, Richey,
Robinson and Fuller

NOES: Councilmen - None

ABSENT: Councilmen - None

Mayor Fuller then signed Ordinance No. 525 in approval thereof.

LODI
LAKE
PARK
DEEDED
TO
STATE

Councilman Richey then requested if action was to be taken to deed Lodi Lake Park to the State. Mr. Weller reported that he and Mr. DeBenedetti had met with Mr. Powell of the Division of Beaches and Parks and had presented him with a list of questions raised by Councilman Hughes with Mayor Fuller. At the request of Mayor Fuller the City Clerk read the following questions and answers:

"1. Will the \$150,000 appraisal figure placed by the State on City-owned land be sufficient as a matching fund to acquire the private lands proposed?

"Answer: An appraisal figure of \$149,430 was placed on the Lodi Lake Park and the City dump property as reported in my letter of July 21, 1953. This figure was expressly labelled as a 'preliminary appraisal', completed on July 10, 1953. As we have pointed out in the past, a formal appraisal would be undertaken by an impartial and competent group of three appraisers after dedication of the City-owned land to the State. Such an appraisal cannot be made prior to dedication because State funds cannot be released for the purpose until the State has acquired title. At such time as a formal appraisal is made, it is entirely possible that the valuation will be revised, but it is purely speculative to say how much revision, if any, might take place.

"It should be understood, moreover, that the State regards the Lake Park expansion proposal as a unit, extending to the east about a quarter-mile east of present Highway #99. Our request for acquisition funds, therefore, will be based upon actual needs for the purchase of the private lands involved in the project, and it will not therefore be limited to the matching funds available. From this point of view, the valuation placed upon the present park property would not restrict development of the project in any way and it represents essentially a 'book' transaction. With respect to private lands, however, realistic formal appraisals would be made in conjunction with our acquisition program.

"2. I am not in favor of a park development on the north side of the river.

"Answer: Regardless of arguments for or against equal development on both sides of the Mokelumne, it is of extreme importance that the State obtain reasonable authority to regulate use of the waterways, particularly with respect to boating and swimming. Obviously, control would be impossible if the north half of the river remained in multiple private ownership, and it is partly for this reason that acquisitions must be made on the north side. We would consider, however, that the 'take-lines' on this side are somewhat more flexible and subject to modification than is the case to the south. Beyond this, we feel that development on both sides will result in a better balanced park providing broader facilities to the public.

"3. The Division of Beaches and Parks should give us some idea of where entrances to the park should be, and at least two should be provided at State expense off Turner Road.

"Answer: The State has made no final determination as to access locations, since we have not been able to turn the project over to our design people pending dedication of the property. However we have consistently

said that we would wish to minimize the number of access points, primarily because of the control factor. I would assume that on the south side, one point of entry would be located in the vicinity of the present park and another perhaps in the Lincoln Street area, besides some provision for Highway #99 traffic. The question of construction costs on access roads lying outside a State park depends on a number of considerations. If these can be provided entirely in conjunction with a residential city street or county road, without additional costs by reason of park traffic, we would normally expect the city or county to bear the expense. If such roads must be located so that their primary utility is for park traffic, the State would expect to undertake the costs. We would expect in any case to carry our full share of expenses connected with the park operation.

"4. What is the State program?

"Answer: For obvious reasons, we cannot furnish a detailed and specific plan for the Lodi Lake project. We have undertaken a great number of developments throughout the State and our staff has all it can handle to take care of the programs on which we have already been given land titles. Even if we were staffed to lay out the Lodi project, under present circumstances we would not feel that it is proper to use State funds for speculative planning.

"As to our over-all program, as we have stated before, our general policy is to clear and grade, and to leave the areas in close to a natural condition. We do not favor intensive man-made development, such as the installation of playground equipment and the construction of buildings. We recognize, however, that an inland park project such as Lodi Lake presents different conditions from those we have experienced elsewhere, and we are prepared to modify our present policies as conditions require.

"5. Clarify the State's plan about camping.

"Answer: With respect to the Lake Park project, we do not favor any long-term or over-night camping facilities."

Councilman Hughes then stated that he had further questions, which were presented to the Mayor. Councilman Hughes stated that the State does not have a plan for development of the expanded Park. He pointed out that people interested in subdividing property on the Mokelumne River are unable to learn the State's intentions along the river. Mr. Weller pointed out that the Division of Beaches and Parks has been unable to plan for the park because it has not known when and if it would receive the deed to Lodi Lake Park. Councilman Hughes stated that he felt the City should concern itself only with the development of the south side of the river. Councilman Richey moved, Robinson second, that the City proceed with the dedication of Lodi Lake Park to the State of California by immediately turning over the deed to the Lake property to the State, reserving therefrom the water well site and easements for storm drainage facilities. Prior to the vote on the question of the motion, Mr. J. N. Ballantyne addressed the Council to state that he was planning a subdivision of his property on the south side of the Lake in

conjunction with Mr. Howard Mason. He added that their plans included a 22-acre recreational area in the vicinity of the proposed State Park. The motion by Councilman Richey then carried by the following vote:

AYES: Councilmen - Mitchell, Richey, Robinson
and Fuller

NOES: Councilmen - Hughes

ABSENT: Councilmen - None

LAKE PARK
FUNDS
SUPPORT

Councilman Robinson then moved, Mitchell second, that our Assemblyman and Senator be requested to sponsor legislation for the appropriation of the funds necessary to develop Lodi Lake Park as a State Park, such action to be taken in cooperation with the Division of Beaches and Parks. The motion carried by the following vote:


AYES: Councilmen - Mitchell, Richey, Robinson
and Fuller

NOES: Councilmen - Hughes

ABSENT: Councilmen - None

On the motion of Councilman Richey, the meeting was adjourned at 9:20 p.m.

ATTEST:


HENRY A. GLAVES, JR.
City Clerk